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MAILED

JUL 25 2011

OFFICE OF PETITIONS

In re Application of :
Angel Palacios :
Application No. 10/599,384 : DECISION ON PETITION
Filed: September 27, 2006 :
Attorney Docket No. :

This is a decision on the renewed petition, filed July 8, 2011, under 37 CFR 1.181 (no fee) requesting withdrawal of the holding of abandonment in the above-identified application.

The petition is **DISMISSED**.

Any request for reconsideration of this decision should be filed within two (2) months from the mail date of this decision. Note 37 CFR 1.181(f). The request for reconsideration should include a cover letter and be entitled as a "Renewed Petition under 37 CFR 1.181 to Withdraw the Holding of Abandonment."

This application was held abandoned for failure to reply to the Notice of Non-Compliant mailed July 13, 2010, which set a one (1) month or thirty (30) days period for reply. A Notice of Abandonment was mailed on January 31, 2011.

Petitioner states "My grounds for this renewed petition is that the facsimile transmission must have actually been received in the USPTO, given that I received a successful transmission receipt, which was enclosed in my former petition and is also hereby attached for reference."

In addition to 37 CFR § 1.8, petitioner is also directed to 37 CFR § 1.6(d) which states:

To facilitate proper processing, each transmission session should be limited to correspondence to be filed in a single application or other proceeding before the United States Patent and Trademark Office. The application number of a patent application, the control number of a reexamination proceeding, the interference number of an interference proceeding, or the patent number of a patent should be entered as a part of the sender's identification on a facsimile cover sheet.

Unfortunately, facsimile transmissions are not permitted. Further, the facsimile transmission receipt submitted with the petition on April 12, 2011 does not identify the application with an application number. There is no application number on the facsimile transmission receipt. Petitioner has also failed to submit a facsimile cover sheet, which should itemize each correspondence being facsimiled.

Petitioner is strongly encouraged to consider filing a petition under 37 CFR 1.137(b) to revive an unintentionally abandoned application instead of filing a renewed petition under 37 CFR 1.181 or a petition under 37 CFR 1.137(a).

Further correspondence with respect to this matter should be addressed as follows:

By mail: Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

By FAX: (571) 273-8300
Attn: Office of Petitions

By hand: Customer Service Window
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Telephone inquiries related to this decision may be directed to the undersigned at (571) 272-3210.



Irvin Dingle
Petition Examiner
Office of Petitions